Some Copyright Reminders:

- Educational "Fair Use" is not a justification for defying the Law.
- Any resources used in any type of project must be given proper credit.
- Consider materials found on the Internet to be copyrighted unless specifically noted as "copyright free" or "royalty free."
- Copyrighted materials on the Internet have the same rights and protection as any other copyrighted materials.
- Access to information does not mean freedom to copy and use.
- Multimedia projects cannot be posted on a web site without prior permission from every copyright holder whose work was used.
- Archival copies may not be used unless the original has been destroyed and documentation permits making archival copies.
- Videos cannot be used for reward, entertainment, or any other use that would constitute a public performance. The charging of admission fees is not a determining factor.
- Movies are not meant to be a means of "crowd control."

For more information...

- Bruwelheide, Janis H. (1987) The Copyright Primer for Librarians and Educators. Chicago, IL: American Library Association.
- Bielefield, Arlene and Lawrence Cheeseman. (1997)
 Technology and Copyright Law: A Guidebook for the Library,
 Research, and Teaching Professions. 2nd ed. New York, NY:
 Neal-Schuman Publishers.
- Simpson, Carol Mann. (2005) *Copyright for Schools: A Practical Guide*. 4th ed. Columbus, OH: Linworth Publishing.
- http://lcweb.loc.gov/copyright/
- Martha Alewine, State Consultant for School Library Media Services (malewine@ed.sc.gov)

Copyright



Why can't I use this? After all, it's for the students!

Frequently
Asked
Questions

A Quíck Reference

James H. Rex State Superintendent of Education

South Carolina Department of Education
Office of Technology
School Library Media Services
1429 Senate Street
Columbia, South Carolina 29201
http://ed.sc.gov/agency/offices/tech/ms/lms/

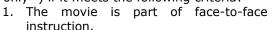
The Copyright Law. . .

applies to all formats, e.g. print and electronic. Educators may use copyrighted resources under the "Fair Use" guidelines provided the use meets these four criteria:

- the purpose of the use;
- the nature of the work used;
- the amount of the work used; and
- the effect the use will have on the potential market for the work used.

Just What Can I Do?

- Show a video of a broadcast television program within ten school days of the broadcast.
 - Show a movie (even if it is labeled "for home use only") if it meets the following criteria:





- 2. The use of the movie is documented in the lesson plan.
- 3. The movie supports the goals and objectives of the lesson.
- 4. The movie is a true and legal copy (i.e., has not been dubbed from another video or recorded from a premium television channel).
- Use parts of legally attained and properly credited copyrighted materials for instructional purposes and for student projects, including multimedia presentations.
- Retain multimedia projects for instructional purposes for up to two years after the first use; after two years the teacher must have written permission to use any copyrighted materials.
- Retain the project indefinitely, if it is needed for presentations to peers (i.e. conferences, in-service workshops), job performance evaluations, or interviews.
- Use materials that are directly connected to your curriculum.
- Make a class set of print copies if the copying meets the criteria of:
 - 1. brevity;
 - 2. spontaneity; and
 - 3. cumulative effect.

NOTE: Copies may not be given to the students. All copies must be destroyed after the lesson, unless prior written permission has been obtained.

• Utilize Cable-in-the-Classroom, ITV, and PBS programming.

Students may keep their multimedia projects containing copyrighted materials as part of their electronic portfolios for school and/or job interviews.

Students may perform/display their projects in the course for which they were created. These multimedia projects may not be posted on a public website without prior written permission.

So I Can't...

- Show a movie or other program that has been recorded from a premium cable channel (e.g. HBO, Disney, A&E, Turner, The History Channel).
- Edit a movie or recording of a television program.
- Scan a book to create a PowerPoint presentation.
- Show a movie for reward or entertainment.
- Create anthologies for my students in place of purchasing these materials.
- Make multiple copies of computer software programs.
- Load a single-user copy of a computer software program on multiple computers.
- Make print copies for every student I teach.
- Use copies (this includes painted copied) of cartoon, TV, or film characters for classroom/hallway decorations, bulletin boards, newsletters, or hand-outs.
- Use portions of copyrighted materials in multimedia projects beyond the Fair Use limits.
- Copy entire workbooks, test booklets, etc., in place of purchasing.
- Make illegal copies at the direction of a supervisor, e.g. principal, other administrators, district personnel.
- Post presentations on the Internet without prior written permission from every copyright holder whose work was used.

How Much Can I Copy?

In any **one** semester a teacher may use...

- **Motion media**: 10% or 3 minutes, whichever is less, of a single work.
- Print media: 10% or 1000 words, whichever is less, of a single work.
- **Poems** (less than 250 words): the entire poem; no more than three poems by one poet or five poems from one anthology.
- **Poems** (more than 250 words): up to 250 words; no more than three excerpts from one poet, no more than five excerpts by different poets from a single anthology.
- **Music, lyrics, music videos**: up to 10%, no more than thirty seconds of music and lyrics from a single work.
- Illustrations/photographs: Entire image; no more than five images by single artist/photographer; no more than 10%, or fifteen images, whichever is less, from a collection published as a single work.